

In The United States District Court  
Eastern Division of Pennsylvania

Larry Wisser	)	
And	)	
Cathleen Wisser	)	
Plaintiffs	)	Cause Number <u>21-5017</u> <u>21-5110</u>
Vs	)	
Mr. Bruce Brown Individually	)	
And as Agent for United States	)	
Dept. Agriculture, Trustee Scott Waterman	)	NOTICE
Et Al	)	
The United States	)	Motion for TRO
Department of Agriculture	)	Motion for Injunction
Northwest Bank	)	
John and Jane Does 1-10	)	<u>JURY TRIAL DEMANDED</u>
yet to be identified	)	
Defendants	)	Plaintiffs
	)	Affidavit in
	)	Support of Injunction

**Plaintiffs Amended - Reurged Motion for Stay - TRO and**  
**Permanent Injunction**

**Now Comes Larry and Cathleen Wisser, Plaintiffs** and herein state under  
the Penalty of Perjury as follows per Rule 65 of the Federal Rules of Procedure

[https://www.law.cornell.edu/rules/frcp/rule\\_65SEE](https://www.law.cornell.edu/rules/frcp/rule_65SEE)

**Plaintiffs Request this Court to hear this Reurged Motion for Hearing on this Restraining Order as soon as the Court's Calender Permits.**

1. Recently Counsel for Defendants USDA, Mr. Bruce Brown and Scott Waterman were ordered By Judge Smith to produce the Records and Files USDA controls regarding the Wisser Farm and Larry and Cathy Wisser.
2. ZERO Computative Documents were produced which reveal the Account Collections, Balances Owed , Zero Notes or Memos NOT a single Balance Accounting Record or Statement explaining what Wissers have paid to and remain owing to the United States OR the United States Department of Agriculture. THERE IS NO DOCUMENTATION or EXPLANATORY BILLING to rely upon to determine what if any amount is owed to USDA or the United States on any loan/s owed to Mr. Bruce Brown's Agency NOR what figures have ever been relied upon by the Bankruptcy Trustee Scott Waterman.

<https://www.google.com/search?q=ACCURATE+BILLING+STATEMENTS+++Fundamental+Accounting+Standards>

## I. Introduction to Fraud Examination - ACFE

<https://www.acfe.com/Products/Self-Study/CPE>

PDF

In billing schemes, the false claim typically comes in the form of a fraudulent invoice. In payroll schemes, the false claim generally occurs when the fraudster ...

### Fake Invoice Scams - Avoiding & Reporting| USPIS - United ...

<https://www.uspis.gov/scam-article/false-invoice-scam>

Feb 5, 2019 — False Invoice Scam ... Businesses are popular targets for invoice fraud. In these scams, criminals send bills for goods or services the business ...

**3. This case involves Fraudulent Billings and Demands for Payment to Foreclose and Sell the Wisser Farm. Without precise and accurate Computational Files and Records it is IMPOSSIBLE to Calculate with any certainty WHAT IF ANY AMOUNT/S are owed by Wissers to the United States Government or USDA.**

***a. USDA provides ZERO RECORDS to Substantiate Their Inflated Demands***

***b. The records and files have Many times been FOIA'd and Demanded THEY STILL REMAIN A MYSTERY and MISSING.***

**4. Recently and for many years Wissers have requested from USDA and Bruce Brown the Files and Records regarding the Monthly and Annual Accountings of the United States and Defendant Bruce Brown's Agency. The Bankruptcy Courts as has This Court Judge Edward Smith has ordered USDA and Mr. Bruce Brown to produce the FOIA's Files and Records germane to the Wisser Farm Matters herein before the Court. ZERO Files or Records, Notes, Memos , Telephone Records NOTHING has been produced showing HOW THE BALANCE/S of any amounts to USDA, Bruce Brow, Scott Waterman or the United State's Government seem to exist ?**

5. In good faith Wissers undertook every effort to discover the **COMPUTATION Files and RECORDS** which explain what if anything might be owing. This last production of FOIA's files and records **STILL HAVE NO BALANCE INFORMATION** nor any records which would allow the Calculation of What Wissers have borrowed, repaid and remain owing. Fundamental Accounting Practices are **NOT** being practiced or adhered to by Defendant Waterman or Mr. Brown Et Al. Seemingly the Team of US Attorneys overlook this **FUNDAMENTAL FACT ?**
6. Bankruptcy Judges Patty Meyers and Joyce Coleman also ignored the most basic rules of **EQUITY and Accurate Accounting Practices**. With the current Files and Records produced pursuant to FOIA and the Fair Debt Collections Practices Rules and more than one Federal Court Order ..... Reconciliation or Forensic Examination of what Wissers **IN REALITY ACTUALLY OWE** is impossible. Without being able to accurately calculate what is owed **THIS COLLECTIONS MATTER** amounts to a Stick Up, Hold Up, Criminal Demand for Money by the Defendants.
7. Accurate Affidavits and Preliminary Exhibits have been filed with this Court showing that the Defendants for many years **VIOLATED** the Freedom of Information Act and Concealed and Hid Files and Records germane to the Wissers and Their Farm. Using false billings to violate Pennsylvania's Fair Debt Collections laws is as well violative of the Federal Fair Debt Collections Laws.
8. This Court has concurrent jurisdiction over Open Records and Credit Collections Practices of Pennsylvania State and Federal Laws. Due

process and equal protection of law certainly applies to BILLING PRACTICES by the United States Government.

9. The Records associated with the abusive and false billings by USDA and Mr. Bruce Brown as well as Union National Bank and Northwest Banks, show more than \$100,000.00 of Farm Preservation Monies handled by USDA and Mr. Bruce Brown in connection with the Wisser Farm were by ATM or Electronic Banking Transactions deprived from the Wissers and NOT properly credited to Wisser Accounts. Larry and Cathy Wisser NEVER MADE ELECTRONIC Payments, Debits or Withdrawls from the Banking Accounts ONLY USDA and Defendant Bruce Brown did Electronic Transactions.

A. More than \$200,000.00 given to Union National Bank by USDA and Mr. Bruce Brown and other Brown USDAAccounts controlled by Bruce Brown were never accessible by or to the Wissers. USDA and Mr. Bruce Browns ELECTRONIC BANKING FILES are even at this date being concealed and hidden. Pennsylvania and Federal Open Records Laws continue to be violated.

10. The Records of Electronic Payments made by USDA and Bruce Brown regarding operations and debts servicing or connected to the Wissers and Their Farm have been withheld and secreted by Bruce Brown. USDA and Mr. Brown continue to Hide and Secret Electronic Transactions involving more than \$100,000.00 traceable to Land O Lakes Milk Accounts from which USDA and Defendant Bruce Brown collected on for several years. The USDA and Defendant Bruce Brown has yet to produce USDA's Records and Files regarding these payments in violation of the Freedom of Information Act.

11. Electronic Collections or Electronic Banking Records, Payments, Deposits, Withdrawals from Wisser Banking Accounts , associated with the Fictitious Payments for a \$40,000.00 + Bulk Milk Tank and a Large Silo \$50,000.00 + Mr. Brown claims to have ELECTRONICALLY Refinanced Financed and Paid For have been secreted and hidden by Mr. Bruce Brown. The Wissers NEVER received the Monies nor the Milk Tank and Silo NOR has Defendant Bruce Brown provided Files and Records regarding these items.

12. Payments Collections Withdrawals or Deposits, ATM and Electronic Banking records ( Controlled by Mr. Bruce Brown ) and authorization contracts or records which Authorize USDA - Bruce Brown to CLANDESTINELY, SECRETLY withdraw money, make payments from or deposit funds or checks to the Bank Accounts of the Wissers and Their Farm traceable to Paying Off a Large \$102,000.00 Lien on the Wisser Farm supposedly owed to Blue Ball Bank, or rather BB&T Bank have ever been produced by USDA or Bruce Brown. Said records and receipt for this payment have been secreted and withheld by Mr. Bruce Brown and the USDA for many years inviolation of the Freedom of Information Act.

13. Sales receipts from the Wisser's Cow Herd taken by USDA and Mr. Bruce Brown , how those Sales Monies were Credited to the Wissers and Their Farm and the whereabouts of these monies have been hidden and secreted by Mr. Bruce Brown. NO Bulk Milk Tank, No Silo or any other Equipment BANKING RECORDS have been produced by Defendant Waterman or Mr. Brown NOR the USDA in this matter.

14. The AUTHORISATION agreements or Permission Records for Mr. Bruce Brown and USDA to Electronically access Wissers Bank for

Deposits, Withdrawals or Electronic Transactions , these Records of financial payments, Withdrawals, Deposits or Collections associated with the Wissers and Their Home and Farm have been secreted and concealed by Mr. Bruce Brown. The Land O Lakes records still have NOT been produced nor properly credited to the Wissers Accounts.

15. The Original Wet Ink papers of the records Wissers have spent 7 Years demanding from USDA and Mr. Bruce Brown under Freedom of Information Act ( which were partially just recently produced ) the bulk of the records and files STILL HAVE NOT BEEN PRODUCED.

16. On the very day USDA and Bruce Brown's partial records release to the Wissers did occur on OCTOBER 28<sup>th</sup> 2001 The US Bankruptcy Court dismissed the Wissers Chapter 12 Case before the Evidence could be shown to the Court regarding USDA's Bruce Brown's SKULLDUGGERY and Concealment of fthe Files and Records.

17. These records should include any written or stated exemptions under FOIA justifying the many years USDA and Mr. Bruce Brown stonewalled and refused the FOIA records production.

***NOTE ..... NOT A SINGLE Exemption from Producing the Files and Records has ever been stated by USDA or Bruce Brown. Properly stated exemptions are MANDATORY.***

18. The Account Number/s of all Electronic Financial Accounts used by Bruce Brown or USDA in transactions of payments, collections, Withdrawals or Deposits involving Wissers and Their Farm have

been concealed and hidden by Mr. Bruce Brown and the USDA for many years and USDA and Bruce Brown FRAUDULENTLY pursue collections and FORECLOSURE on the Wissers Farm and Property in violation of the FAIR DEBT COLLECTIONS PRACTICES ACT and by means of BAD FAITH and Fraudulent Means in the Courts of the United States and those of the State of Pennsylvania.

### **MOTION FOR STAY - RESTRAINING ORDER - INJUNCTION**

As stated in Plaintiffs ORIGINAL Affidavits, Complaint and herein AGAIN Plaintiffs reurge and again Move this Court for a Hearing to be had on an EMERGENCY BASIS. Irreparable Harm and Great Hardship and Damages will be caused UNLESS a Temporary Restraining Order issues from this Court until such time as a HEARING Can Be Set and Heard at which time Plaintiffs are entitled to an Injunction against USDA and Mr. Bruce Brown to HALT and CEASE Immediately the Fraudulent Billings, Collections and Efforts to Seize and Sell Their Farm and Property. Plaintiff's Pray for this relief and as follows.

1. All costs and expenses associated with this NOTICE Motion and Hearing.
2. That a full and proper Reconciliation of Their Accounts with USDA and Mr. Bruce Brown be ORDERED
  - a. That upon Showing and Trial ..... The Damages and Costs, Expenses demanded in Plaintiff's Original Complaint be Ordered Paid to the Plaintiffs / Moveants as set forth in Plaintiffs Original Complaint.



**Plaintiffs Request this Court to enjoin and halt this False Billings and Concealed Records Scheme being employed to STEAL the Wissers Far. Such Absurd and Fraudulent Billing Practices, Bankruptcy Behavior and US Postal Service Fraud are NOT ALLOWED by Pennsylvania State and US Federal Laws. This Court has concurrent jurisdiction over the State and Federal Laws.**

**Using Obfuscation and Concealment, False Billings to STEAL the Wissers Farm are an effort at Fraudulent Conversion of the Wissers Farm Property to be sold at Fraudulent Sale by USDA with the Aid and Assistance of Defendant Waterman and the Bank listed herein as Defendants. Based upon the above facts Property and Due Process Rights, Equal Protection under Both Pennsylvania and US Constitutions and Laws demands that Wissers be protected from the Unlawful Scheme herein described. Plaintiffs ask for a PERMANENT RESTRAINING ORDER to Halt this effort to Rob Them and for ALL REASONABLE DAMAGES to which They are Entitled.**

**Wherefore Premises Considered** Your Plaintiffs demand a Trial By Jury and that at least 10 Million Dollars be awarded Them for Emotional Distress and Mental Anguish and Physical Distress traceable to this Scheme to Steal Their

Respectfully

*Larry Wisser*  
*Cathy Wisser*  
Larry and Cathy Wisser

Dated Jan 29<sup>th</sup> 2022

Address of the Plaintiffs

8149 BAUSCH ROAD  
NEOTRIPOLI, PA 18066

**NOTARY STAMP AND ENDORSEMENT**

*Ruth Miller*

Commonwealth of Pennsylvania - Notary Seal  
Ruth R. Miller, Notary Public  
Lehigh County  
My commission expires April 17, 2022  
Commission number 1112853  
Member, Pennsylvania Association of Notaries

**Certificate of Service**

On this Day 1/29/2022 a copy of this AFFIDAVIT was by US Mail sent to USDA and Mr. Bruce Brown at the following address. Copy was sent to Mr. Scott Waterman at the Address indicated below.

*Larry Wisser*  
Larry and Cathy Wisser

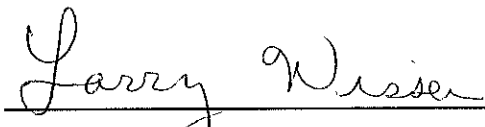
*Cathy Wisser*  
DATED

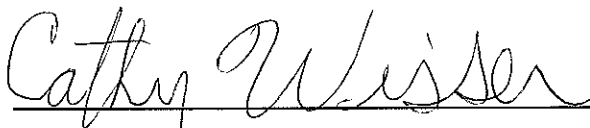
Farm Property and Constitutional Rights. All other Costs and Damages Reasonable are requested, including Costs of this and all previous legal proceedings.

**Notary Jurat**

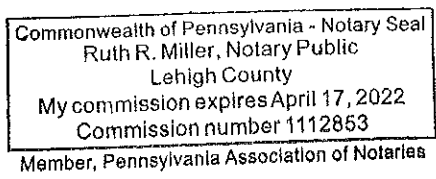
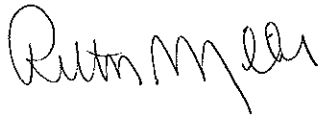
**I Mr. Larry Wisser and I Mrs. Cathay Wisser herein state that under the Penalty of Perjury the Above Representations and Statements are Accurate and Truthful to the Best of Our Belief and Knowledge.**

**Mr. Larry and Cathy Wisser after having shown Proof of Their Identities do herewith execute this Affidavit in Connection with the Federal Lawsuit indicated upon this Affidavit. See Attached Records and Statements of Mr. Larry and Cathy Wisser.**

  
Larry Wisser

  
Cathy Wisser

## NOTARY ENDORSEMENT



**SUPERIOR COURT OF PENNSYLVANIA**  
**Civil Docketing Statement**

Pursuant to Pa.R.A.P. 3517, you *must* complete this form in its entirety and return this form and attachments to the Prothonotary of the Superior Court by February 2, 2022. A completed copy of this form *must* also be provided to each appellee. THIS FORM IS FOR CIVIL APPEALS ONLY, as indicated on the trial court docket and/or order from which you are appealing.

**FAILURE TO COMPLETE THIS DOCKETING STATEMENT IN ITS ENTIRETY IN A TIMELY MANNER, WITH ALL REQUESTED DOCUMENTS ATTACHED, WILL RESULT IN DISMISSAL OF THE APPEAL.**

**A. CASE IDENTIFICATION**

1. Case Caption: Northwest Bank v. Wisser, L.
2. Superior Court Docket No: 153 EDA 2022
3. Party or parties filing appeal: Wisser and Cathleen R. Wisser, Larry L.

**B. TIMELINESS OF APPEAL** (Check only those which apply and fill in the date(s))

- ( ) Date of judgment or order appealed from: \_\_\_\_\_
- ( ) Date of Pa.R.Civ.P. 236 notice: \_\_\_\_\_
- ( ) Date praecipe for judgment filed: \_\_\_\_\_
- ( ) Date judgment filed: \_\_\_\_\_
- (☒) Date notice of appeal filed: JAN. 3, 2022
- Was reconsideration requested in the lower court? ( ) Yes ( ) No (date) \_\_\_\_\_
- Was it expressly granted? ( ) Yes ( ) No (date) \_\_\_\_\_

**C. APPEAL FROM THE TRIAL COURT**

1. Is the order appealed from a final, appealable order? ( ) Yes (☒) No  
Specify rule and subsection governing finality (e.g. Pa.R.A.P. 301, 313, 341) and, if desired, any applicable case law.  
\_\_\_\_\_
2. If the order is not a final order:
  - a. Is the order appealable as of right under Pa.R.A.P. 311? ( ) Yes ( ) No  
(specify which subsection) \_\_\_\_\_
  - b. Was permission to appeal granted pursuant to:
    - i. Pa.R.A.P. 1311? ( ) Yes ( ) No Misc. Docket No. \_\_\_\_\_
    - ii. Pa.R.A.P. 1501 *et seq.*? ( ) Yes ( ) No Misc. Docket No. \_\_\_\_\_
3. How have issues been preserved? (e.g. pre-trial motions, timely objection, motion to remove non-suit, petition to strike/open)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. RELATED CASES**

List all related cases pending in any court (e.g. co-defendants, cross-appeal, cross-claims, counterclaims, bankruptcy proceedings or other appeals):

CASE NAME	COURT	CASE NO.	TYPE OF CASE
<u>SEE ATTACHED</u>			

Docket No. of cross-appeal: \_\_\_\_\_

**E. DESCRIPTION OF APPEAL** (If necessary, attach additional pages for completion of 1 and 2)

1. Brief description of action and result below:

SEE ATTACHED

2. Issues to be raised on appeal:

SEE ATTACHED

**HAVE YOU ATTACHED** (failure to attach any of the following, without explanation, may result in sua sponte action by this Court, including dismissal of the appeal):

- |  |                |
|--|----------------|
| (1) trial court's judgment, order or decree from which this appeal is taken? | ( ) Yes ( ) No |
| (2) notice of appeal?  | ( ) Yes ( ) No |
| (3) up-to-date trial court docket?   | ( ) Yes ( ) No |
| (4) trial court opinion, if available?                                       | ( ) Yes ( ) No |

Signature Cathleen R. Wisser  
Larry L. Wisser  
 Print Name LARRY L. WISSER E-Mail Address NONE  
 Address 3149 BAUSCH ROAD Atty. I.D. No. \_\_\_\_\_  
NEW TRIPOLY, PA, 18066 Date 1-28-2022

Went to the court house on December 30, 2021 to stop and overturn the sale of our farm. See original case # 21-5017-21-5110/#2016-C-2244. The sale is illegal and the debt collection is illegal caused by Bruce Brown, Agent for USDA and Northwest Bank not producing servicing records to prove amount we owed. No Servicing records, no statements, no details have ever been produced after several requests. We had no accounting records to see what we owed.

We are asking for Jury to decide this case.